

STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF NURSING

IN THE MATTER OF THE LICENSE OF	:	Administrative Action
	:	
	:	
	:	
YAWO PASSAH, L.P.N.	:	
License # 26NP 06353200	:	FINAL ORDER
	:	OF DISCIPLINE
	:	
TO PRACTICE NURSING IN THE	:	
STATE OF NEW JERSEY	:	

This matter was opened to the New Jersey State Board of Nursing ("Board") upon receipt of information which the Board has reviewed and upon which the following findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Yawo Passah ("Respondent") is a Licensed Practical Nurse (LPN) in the State of New Jersey, and has been a licensee at all times relevant hereto.

2. On or about February 6, 2015, the Board sent a letter of inquiry to Respondent by certified and regular mail at his address of record. The letter requested, in part, documentation of continuing education completed during the last three years.

3. Although Respondent provided other information requested in the letter, he did not send in certificates of completion documenting completion of nursing continuing education.

4. Respondent indicated on his 2014 renewal application that he would have completed all required continuing education for the June 1, 2012 - May 31, 2014 licensing cycle by May 31, 2014.

CONCLUSIONS OF LAW

Respondent's failure to provide documentation of completion of required continuing education for the June 1, 2012 - May 31, 2014 licensing cycle is deemed to constitute failure to timely complete continuing education in violation of N.J.A.C. 13:37-5.3, subjecting Respondent to sanctions pursuant to N.J.S.A. 45:1-21(e) and (h).

Respondent's indication on the 2014 renewal application that he would have completed all required continuing education for the June 1, 2012 - May 31, 2014 licensing cycle by May 31, 2014 is deemed to constitute misrepresentation in violation of N.J.S.A. 45:1-21(b).

DISCUSSION

Based on the foregoing findings and conclusions, a Provisional Order of Discipline seeking a suspension, reprimand, and a two hundred and fifty dollar (\$250) civil penalty was

entered on May 28, 2015. Copies were served upon Respondent via regular and certified mail. The Provisional Order was subject to finalization by the Board at 5:00 p.m. on the thirtieth day following entry unless Respondent requested a modification or dismissal of the stated findings of fact and conclusions of law by setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed and submitting any and all documents or other written evidence supporting Respondent's request for consideration and reasons therefor.

Respondent replied to the Provisional Order of Discipline by providing proof of completion of the following continuing education:

6 hours within the 6/1/10 - 5/31/12 biennial period;

0 hours within the 6/1/12 - 5/31/14 biennial period; and

31 hours within the 6/1/14 - 5/31/16 biennial period.

Respondent may apply 30 of the 31 hours completed in June 2015 to cure the deficiency of the June 1, 2012 - May 31, 2014 biennial period and avoid suspension of his license.

The Board reviewed Respondent's submissions and determined that further proceedings were not necessary and that no material discrepancies had been raised. Inasmuch as Respondent cured the deficiency in his continuing education, the Board determined that suspension was no longer warranted. However, the Board

determined that Respondent's failure to timely complete the required continuing education within the June 1, 2012 - May 31, 2014 biennial period warrants imposition of a two hundred dollar and fifty dollar (\$250) civil penalty. Also, a reprimand is warranted for Respondent's corresponding answer on his renewal application whereby he misrepresented that he had completed the required continuing education when he was unable to demonstrate, to the satisfaction of the Board, that he had done so.

ACCORDINGLY, IT IS on this 14th day of December, 2015,
ORDERED that:

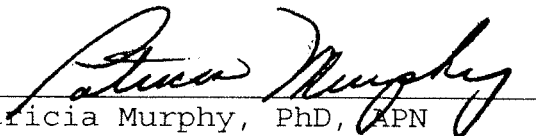
1. A reprimand is hereby imposed upon Respondent for the violation of N.J.S.A. 45:1-21(b).

2. A civil penalty in the amount of two hundred and fifty dollars (\$250) is hereby imposed for Respondent's failure to timely complete required nursing continuing education. Payment shall be made by certified check, bank cashier check, or money order payable to "State of New Jersey," or by wire transfer, direct deposit, or credit card payment delivered or mailed to State Board of Nursing, Attention: Leslie Burgos, P.O. Box 45010, Newark, New Jersey 07101. Any other form of payment will be rejected and will be returned to the party making the payment. Payment shall be made no later than twenty-one (21) days after the date of filing of this Final Order of Discipline. In the event Respondent fails to make a timely payment, a

certificate of debt shall be filed in accordance with N.J.S.A.
45:1-24 and the Board may bring such other proceedings as
authorized by law.

3. Continuing education completed after May 31, 2014 and
applied to cure the deficiency of a previous biennial period
shall not also be applied towards the current biennial period.
Respondent shall complete another 29 hours of continuing
education prior to May 31, 2016 to satisfy the requirements of
the June 1, 2014 - May 31, 2016 biennial period.

NEW JERSEY STATE BOARD OF NURSING

By: 
Patricia Murphy, PhD, APN
Board President